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Martin Becker

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9109

7590  
Douglas R Hanscom  
Jones Tullar & Cooper  
Eads Station  
PO Box 2266  
Arlington, VA 22202

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EXAMINER

CHEN, YUAN L

ART UNIT

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2854

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/533,437	<b>Applicant(s)</b> BECKER ET AL.	
	<b>Examiner</b> Yuan L. Chen	<b>Art Unit</b> 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 66-138 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 69-82, 84, 105, 112, 115, 118 and 121 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Disposition of Claims: Claims withdrawn from consideration are 66-68,83,85-104,106-111,113,114,116,117,119,120 and 122-138.

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/2/2005,9/25/2006,9/10/2007,11/7/2007.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group II (Claims 69 – 82, 84, 105, 112, 115, 118 and 121) in the reply filed on 11/26/2008 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 74 – 75 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In this case, Claims 74 – 75 depend on Claim 69, which limits insulating material arranged between said base body surface and said outer body inner surface and which means said thermal insulating material does not include said base body as recited in claims 74 and 75. Also this subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains and no drawing illustrations to show that the thermal insulating material includes the base body. Therefore, Claims 74 – 75 will not be treated in this Action.

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***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 69 – 72, 105, 115, and 118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Interprint G.m.b.H. (Patent No.: DE 629700 with machine translation enclosed) in view of Rifenbergh (Patent No.: 3143637).

With respect to Claim 69, G.m.b.H. discloses in Figs. 3 – 4 as well as page 2 lines 3 - 8 and lines 45 - 50: a rotating body of a printing press comprising:

a rotating body barrel, said barrel including a base body (34) and an outer body (35), said outer body (35) being positioned radially outside of said base body (34);

at least one temperature control medium flow channel (36) in said barrel and including at least one inflow (8) and at least one outflow (7) for a temperature control medium which is flowable through said at least one channel to exchange an amount of heat with said barrel over a distance between said inflow (8) and said outflow (7);

a base body surface (outer surface of 34) and an outer body inner surface (inner surface of 35) spaced from said base body surface; and

a thermal insulating material (33) arranged between said base body surface and said outer body inner surface, said channel (36) being thermally insulated from said base body (34) by said thermal insulating material (33).

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G.m.b.H. does not teach the channel being formed in said thermal insulating material.

However Rifenbergh teaches in Figs. 1 - 2 as well as column 2 lines 36 - 42, and column 3 lines 55 - 67: the channel (14) being formed in said thermal insulating material (2).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified G.m.b.H.'s rotating barrel by expanding the thermal insulating material to surround part of the channel as taught by Rifenbergh for the purpose of more effectively reducing heat change between the base layer and outer layer.

The modification/combination meets all the limitations of Claim 69.

With respect to Claim 70, the modification/combination meets all the limitations of Claim 70: said channel (14 of Rifenbergh) is open toward said outer body (3/6) inner face.

With respect to Claim 71, the modification/combination meets all the limitations of Claim 71: said channel (14 of Rifenbergh) has a bottom toward said base body surface (surface of base body 34 as taught by G.m.b.H.).

With respect to Claim 72, the modification/combination meets all the limitations of Claim 72: at least one temperature control medium guide (half circle of channel 14 of Rifenbergh) in said thermal insulating material (2).

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With respect to Claim 105, the modification/combination meets all the limitations of Claim 105: said thermal insulating material is a synthetic resin (polystyrene in column 2 lines 36 -42 of Rifenbergh).

With respect to Claim 115, the modification/combination meets all the limitations of Claim 115 (Fig. 4 as well as page 2 lines 3 - 8 of G.m.b.H.): said outer body (35) is a curved element (as shown in Fig. 4) which partially encloses said base body (34)

With respect to Claim 118, the modification/combination meets all the limitations of Claim 118 (Fig. 4 as well as page 2 lines 3 - 8 of G.m.b.H.): the curved element (as shown in Fig. 4) has a central angle less than  $360^{\circ}$ .

6. Claims 73 and 78 are rejected under 35 U.S.C. 103(a) as being unpatentable over G.m.b.H. et al. in view of Rifenbergh, and further in view of Klaus et al. (Patent No.: DE 19647067).

The combination of G.m.b.H. et al. and Rifenbergh meets all the limitations of Claim 73 except that said channel is formed in said thermal insulation material by casting.

However Klaus et al. teach in Fig. 1 and Abstract: said channel (20/21) is formed in said thermal insulation material (3.1 reinforcements) by casting.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al. and Rifenbergh's barrel by using casting as a method to form channel in said thermal

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insulation material as taught by Klaus et al. for the purpose of providing a better quality and less cost manufactures.

The modification/combination meets all the limitations of Claim 73.

With respect to Claim 78, the modification/combination meets all the limitations of Claim 78 (Fig. 1 and Abstract of Klaus et al.): said thermal insulating material (3.1) is cast between said base body (3) surface and outer body (1) inner surface.

7. Claims 76 is rejected under 35 U.S.C. 103(a) as being unpatentable over G.m.b.H. et al. in view of Rifenbergh, and further in view of Prem (Patent No.: US 5168808).

The combination of G.m.b.H. et al. and Rifenbergh meets all the limitations of Claim 76 except that each of said thermal insulation material, said base body and said outer body have matched coefficients of thermal expansion.

However Prem teaches in column 1 lines 39 - 49: each of adjacent layers have matched coefficients of thermal expansion.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al. and Rifenbergh's barrel by using Prem's teaching to have each of said thermal insulation material, said base body and said outer body have matched coefficients of thermal expansion for the purpose of providing a better contact between the multi layers of the barrel to increase quality and reduce cost in manufactures.

The modification/combination meets all the limitations of Claim 76.



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8. Claims 77 is rejected under 35 U.S.C. 103(a) as being unpatentable over G.m.b.H. et al. in view of Rifenbergh, and further in view of Lively (Pub. No.: US 20020066491).

The combination of G.m.b.H. et al. and Rifenbergh meets all the limitations of Claim 77 except for hollow glass bodies in said thermal insulation material.

However Lively teaches in [0025] lines 1 - 3: hollow glass bodies (spheres) are a good thermal insulation material.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al. and Gifenbergh's barrel by using Lively's teaching to have hollow glass bodies included in said thermal insulation material for the purpose of providing a good insulating material in barrel to increase quality in manufactures.

The modification/combination meets all the limitations of Claim 77.

9. Claims 79, 81, 84, 112, and 121 are rejected under 35 U.S.C. 103(a) as being unpatentable over G.m.b.H. et al. in view of Rifenbergh, and further in view of Schneider et al. (Patent No.: US 6810800).

With respect to Claim 79, the combination of G.m.b.H. et al. and Rifenbergh teaches that said insulating materials with distribution channels is enclosed between said base body surface and said inner surface of said outer body.

The combination does not teach said insulating material is a sleeve.

However Schneider et al. teach in Fig. 4 as well as column 7 lines 25 – 33 and column 6 lines 18 - 19: a sleeve (02) with distribution channels (17) is enclosed in a space underneath the outer body (03).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al. and Rifenbergh's barrel by using the sleeve with distribution channels enclosed in the space underneath the outer body as taught by Schneider et al. to form an insulating sleeve enclosed in a space between said base body surface and said inner surface of said outer body for the purpose of providing an advantage of a directed and fast reacting temperature changing.

The modification/combination meets all the limitations of Claim 79.

With respect to Claim 81, the modification/combination meets all the limitations of Claim 81 (Fig. 4 and column 5 lines 64 - 66 of Schneider et al.): said channel (17) is formed in an exterior of said sleeve (02).

With respect to Claim 84, the modification/combination meets all the limitations of Claim 84 (Fig. 4 and column 6 lines 18 – 19 and 30 – 32 of Schneider et al.): said barrel has an outer shell (03) surface and wherein said channel (17) is located not more than 20 mm ( $\max(h_{03} + h_{17}) = 4 \text{ mm} + 7 \text{ mm}$ ) underneath said shell surface.

With respect to Claim 112, the combination of G.m.b.H. et al. and Rifenbergh meets all the limitations of Claim 112 except an outer shell face adapted to support at least one dressing.

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However Schneider et al. teach in Figs. 1 - 2 as well as column 3 lines 25 -44 and column 5 lines 19 - 22: an outer shell face (21) adapted to support at least one dressing.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al. and Rifenbergh's barrel by using the outer shell face adapted to support a dressing as taught by Schneider et al. for the purpose of providing an advantage of a cost-effective construction and above all temperature control.

The modification/combination meets all the limitations of Claim 112.

With respect to Claim 121, the modification/combination meets all the limitations of Claim 121 (Figs. 2 - 3 as well as column 3 lines 25 -44 and column 4 lines 48 – 54 of Schneider et al.): a plurality of said curved elements (between two 22s) each including one of said channel (open gap 17) and arranged on said base body (02) in a circumferential direction of said base body (02), each said curved element (between two 22s) having a central angle, a sum of said central angles being no greater than 360°.

10. Claims 80 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over G.m.b.H. et al. in view of Rifenbergh and Schneider et al., and further in view of Schmidt (Patent No.: US 5948448).

The combination of G.m.b.H. et al., Rifenbergh and Schnider et al. teaches said sleeve is a plastic (polystyrene in column 2 lines 36 -42 of Gifenbergh) but does not teach the plastic is an injection molded plastic.

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However Schmidt teaches in column 1 lines 14 – 20: an injection-molded plastic is formed in a cavity of mold.

Therefore it would have been obvious to a person of ordinary skill in the art at the time of invention was made to have modified the combination of G.m.b.H. et al., Rifengerh and Schnider et al.'s barrel by using the injection molded plastic to make the sleeve as taught by Schmidt for the purpose of reducing manufacturing cost.

The modification/combination meets all the limitations of Claim 80.

With respect to Claim 82, the modification/combination meets all the limitations of Claim 82 (Schmidt teaches in column 1 lines 14 – 20): said channel is formed by injection molding.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuan L. Chen whose telephone number is 571-270-3799. The examiner can normally be reached on Monday-Friday 7:30 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/yc/

/Ren L Yan/  
Primary Examiner, Art Unit 2854